

Remarks

The Examiner rejected claims 1-8. Claims 1, 5, and 7 have been amended. Claims 1-8 remain in the application.

Claim 1 has been amended to define the modules as welded side to side at facing, like-shaped side faces. Claim 5 has been amended to define the narrow modules as similar to each other and to the wide module that they form. Claim 7 has been amended to define the first and second side faces as like-shaped. Support for the claims appears in FIGS. 2-5. The Examiner rejected claims 1, 2, 4, 5, and 7 under 35 USC § 102(b) as being anticipated by Anderson (US 4,840,269) and claims 3, 6, and 8 under 35 USC § 103(a) as being unpatentable over Anderson in view of applicant's disclosure. The amendments contain no new matter and put the claims into condition for allowance.

In his § 102(b) rejection, the Examiner stated that Anderson depicts the claimed features in their broadest interpretation as indicated by the Examiner's marked-up drawing figures. In particular, the Examiner equated the pan and chain link (12, 26) with a belt module and also each end plate (14, 16) with a belt module. MPEP § 2131 provides: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Anderson does not disclose, among other things, modules welded side to side at facing, like-shaped side faces. Anderson does not disclose narrow modules similar to each other and to the wide module they form. In Anderson, the end plates (14, 16) are not similar to the pan plus link (12, 26). Therefore, the § 102(b) rejection is unsupported by the art and should now be withdrawn.

The § 103(a) rejection, which is based on Anderson and applicant's disclosure, is also overcome because the references, singly or in combination, do not disclose all the elements of the claims. Therefore, the § 103(a) rejection should also be withdrawn.

Applicant respectfully requests reconsideration of the rejection of claims 1-8 and allowance of those claims in view of the remarks and amendments. This amendment is being mailed within three months of the office action, so no fee should be due. If, however, a fee is thought to be necessary for consideration of this response, authorization to charge it to Deposit Account No. 12-0090 is hereby given. If the Examiner thinks a telephone conference would expedite the prosecution of this application, he is invited to call the undersigned attorney.

Respectfully submitted,
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